



*The Commonwealth of Massachusetts
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NOTICE OF PUBLIC HEARING

Pursuant to the provisions of M.G.L. c.118G and in accordance with M.G.L. c. 30A, as amended, a public hearing will be held on Tuesday, January 13, 2009 at 10:00 A.M. at the Division of Health Care Finance and Policy ("Division"), Two Boylston Street, 5th floor, Boston, MA relative to the adoption of amendments to:

114.3 CMR 16.00: Surgery and Related Anesthesia Services
114.3 CMR 17.00: Medicine
114.3 CMR 18.00: Radiology

The amendments revise the payments for most physician services to publicly aided patients by establishing payment rates at the level that were in effect on June 30, 2008. For most codes, the rates in effect on June 30, 2008 are lower than the rates established by the July 1, 2008 amendments. For some codes, however, the rates in effect on June 30, 2008 were higher than the rates established by the July 1, 2008 amendments. For new codes that were added by the July 1, 2008 amendments with a one-to-one crosswalk to a prior period deleted code, the payment rate will be the June 30, 2008 rate of the deleted code. For new codes that were added by the July 1, 2008 amendments with multiple crosswalks are set using the prior period conversion factor and current relative value units of the new code. The rates for new codes added by the July 1, 2008 amendments that are not purchased by MassHealth are also set using the prior period conversion factor and current relative value units of the new code. In addition, the rate for Children and Adolescent Needs and Strength (CANS) assessment tool is not changed

The Division adopted the amendments as an emergency regulation effective December 1, 2008 to implement budget reductions in accordance with M.G.L. c. 29, § 9C. It is estimated that aggregate annual MassHealth expenditures will decrease by \$9.3 million, or 3.41%, as a result of these amendments. It is estimated that aggregate annual MassHealth expenditures for physician services will decrease as follows: payments for surgery services will decrease by \$1.806 million or 2.44%; payments for medicine services will decrease by \$6.654 million or 3.94%, and payments for radiology services will decrease by \$0.839 million, or 2.87%. The fiscal impact upon cities and towns will depend on the volume and mix of services purchased and is expected to be minimal.

Interested parties are encouraged to submit comments on these amendments. All persons desiring to be heard on this matter are hereby notified to appear at the designated time and place. Persons intending to speak will be afforded an early opportunity to testify if the Division receives notice by 5:00 P.M. on Monday, January 12, 2009. All others will be heard subsequently. Written comments may be sent to the Division at Two Boylston Street, 5th floor, Boston, MA 02116.

Copies of the regulation are available for inspection and/or purchase at the Division, Two Boylston Street, 5th floor, Boston, MA 02116 or you can access them free of charge in the Regulations section of the Division's web site located at www.mass.gov/dhcfp.